

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

DAYNE BECK,

Defendant.

Case No. 2:12-cr-00362-APG-PAL

**ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION ON MOTION TO
SUPPRESS**

On September 5, 2013, defendant Dayne Beck filed a motion [Dkt. #31] to suppress all physical and testimonial evidence seized during the traffic stop of Mr. Beck on August 7, 2013. After conducting an evidentiary hearing on October 10, 2013, Magistrate Judge Leen entered her Report and Recommendation [Dkt. #44] recommending that Mr. Beck's motion be denied in part and granted in part. Specifically, Magistrate Judge Leen recommended that Beck's motion to suppress the physical evidence seized from his vehicle be denied, but that his motion to suppress his un-Mirandized statements be granted.

Beck filed an Objection to the portions of the Report and Recommendation that denied his motion. [Dkt. #48.] The Government filed a Response [Dkt. #50.]¹ Pursuant to Local Rule IB 3-2(b), I have conducted a *de novo* review of the motion to suppress and related papers. Good cause appearing,

IT IS HEREBY ORDERED that Magistrate Judge Leen's Report and Recommendation is accepted and approved in its entirety. Beck's motion to suppress [Dkt. #31] is granted in part

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¹ Beck also filed an unauthorized Reply in support of his Objections. [Dkt. #54.] LR IB 3-2 does not allow replies in support of objections. Moreover, the Reply does not add any argument I had not already considered. Therefore, that rogue filing is stricken.

and denied in part. The physical evidence seized during the traffic stop will not be suppressed. Beck's un-Mirandized statements are suppressed.

Dated: January 6, 2015.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE